

LAW OFFICES OF IAN L. MATTOCH

IAN L. MATTOCH 898-0
EMILY KAWASHIMA WATERS 6498-0
Suite 1835, Pacific Guardian Center
737 Bishop Street
Honolulu, Hawaii 96813
Telephone: (808) 523-2451

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

THE ESTATE OF ERIK A. POWELL,)	CIVIL NO. CV04-00428 LEK
THROUGH PERSONAL)	
REPRESENTATIVE MARY K.)	
POWELL; THE ESTATE OF JAMES)	PLAINTIFFS' DISCLOSURE OF
D. LAUGHLIN, THROUGH)	EXPERT WITNESS; CERTIFICATE
PERSONAL REPRESENTATIVE)	OF SERVICE
RAGINAE C. LAUGHLIN; MARY K.)	
POWELL, INDIVIDUALLY;)	(Laura L. Lipati, Ph.D.)
RAGINAE C. LAUGHLIN,)	
INDIVIDUALLY; CHLOE)	
LAUGHLIN, A MINOR, THROUGH)	
HER NEXT FRIEND, RAGINAE C.)	
LAUGHLIN,)	TRIAL: April 3, 2007
)	
Plaintiffs,)	
)	
vs.)	
)	
CITY AND COUNTY OF)	
HONOLULU,)	
)	
Defendant.)	
)	
and)	
)	
)	

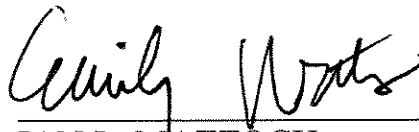
CITY AND COUNTY OF)
HONOLULU,)
)
Third-Party Plaintiff,)
)
vs.)
)
UNIVERSITY OF HAWAII, a body)
corporate; JOHN DOES 1-10, JANE)
DOES 1-10, DOE CORPORATIONS)
and DOE ENTITIES,)
)
Third-Party)
Defendants.)
)
_____)

PLAINTIFFS' DISCLOSURE OF EXPERT WITNESS

Plaintiffs above-named, by and through their attorneys, the Law
Offices of Ian L. Mattoch, hereby give notice of the disclosure Plaintiffs' expert
witness pursuant to Rule 26(a)(2), F.R.C.P.

1. Laura L. Liptai, Ph.D.

DATED: Honolulu, Hawai'i, OCT 23 2006.



IAN L. MATTOCH
EMILY KAWASHIMA WATERS
Attorneys for Plaintiffs

October 16, 2006

Ian L. Mattoch, Esq.
Emily Waters, Esq.
Law Offices of Ian L. Mattoch
Suite 1835, Grosvenor Center
Honolulu, HI 96813

RE: Erik Powell vs. City and County of Honolulu, #1987

Dear Ms. Waters:

At your request I have reviewed the materials provided by your office and prepared a BioMedical Engineering analysis of the incident regarding Erik Powell in the Powell vs. City & County of Honolulu matter. The objective of this investigation was to conduct a BioMedical Engineering examination including analysis of the mechanics and quantity of force required for the cervical subluxation. The following is a brief summary of my findings.

Please reference attached C.V. (.pdf)

BioMedical Engineering Overview

BioMedical Engineering studies the effect of forces and motions on bones, joints, and other systems and structures of the body. The field utilizes mechanical laws derived from physics and engineering to study the principles of the action of forces and their effects on living subjects. It incorporates causation of trauma and injury, and the respective management in physiology, pathology, recovery, and rehabilitation (Nahum & Melvin). BioMedical Engineering is an integrated interdisciplinary field, focused on the cause or mechanism of trauma, rather than the diagnosis, prognosis, or treatment of injuries. BioMedical Engineers utilize scientific/engineering principles and datum to describe the mechanical cause of trauma diagnosed by health care providers.

In this case the cause of death as determined by the forensic pathologists is the injury or disease which produces a physiological detriment resulting in death. The mechanism of death may include the forces, accelerations and positional datum that lead to the forensic pathologist's diagnosis.

Based on the known facts in this case, and cumulative findings of medical records and legal documents, concerning the circumstances leading up to, and resulting in, physiological death as determined by the health care providers/forensic pathologist, the BioMedical Engineering work focuses on the mechanics and kinematics required for a C1-C2 subluxation.

Records Received

1. Erik Powell Autopsy Report, 7/22/02
2. Erik Powell Autopsy Photographs, taken 7/22/02
3. Police Report
4. Life Guard Report
5. Fire Department Report
6. Queens Medical Center, Medical Records

7. Death Certificate
8. Ambulance Report

Description of the Incident

July 19, 2002. 1:10 pm. The decedent was snorkeling and was later found unresponsive. [Autopsy Report 1-9]

Mr. Powell had been snorkeling with Jim Laughlin (brother-in-law) at Hanauma Bay in the Witches Brew {Broom} area. He was missing for 45 minutes before he was found floating on water, with signs of life [Ambulance 8-1]. After being taken to the beach, he was found to be apneic, cyanotic, no pulse and no blood pressure. Copious amounts of water were found in lungs. [Queen's Medical Center 6-1].

Review of Medical Records

Autopsy Report 7/22/02:

Cause of death: Asphyxia due to drowning.

Findings:

1. Pulmonary edema and congestion
2. Mild cerebral edema w/ tonsillar herniation
3. Posterior dissection of the neck reveals deep cervical neck muscle hemorrhage w/ subluxation between C1 and C2 vertebral bodies
4. Abrasions of the right forehead w/ underlying subgaleal hemorrhage of the right frontal scalp
5. S/P surgical removal of the heart, long bones and eyes for tissue donation

Queens Medical Center Emergency Room: 7/19/02

34 year old white male brought in by paramedics, snorkeling at Hanauma Bay in the Witches Brew area. He was found floating on water, taken to the beach, and found to be apneic, cyanotic, with no pulse and no blood pressure. On ER arrival, patient arrived with CPR in progress, still cyanotic and no response to medical therapy. Copious amounts of water found in lungs.

Past medical history unremarkable.

Physical Examination reveals cyanotic and unresponsive. No response to clinical stimuli. No facial trauma. No stepoff or crepitus on neck, though positive JVDs. No gross trauma to abdomen, and no lesions or gross deformity to extremities.

Patient pronounced dead at 1347.

Medical Decision making: patient arrived following probable drowning episode in rough waters with no evidence of gross trauma or fracture that would result in death. No response to maximal therapy with asystole on multiple leads.

Clinical Impression: Cardiopulmonary arrest presumed secondary to drowning.

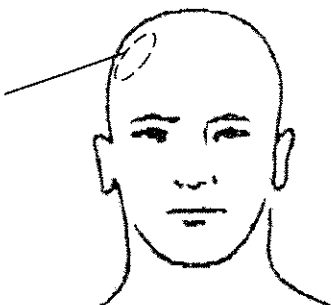
Autopsy Report, 7/22/02

Erik Powell, 34 yo ♂, Ht: 5'11", Wt: 190 lbs [1-1]

Cause of death asphyxia due to drowning [1-1]

Mild cerebral edema w/ tonsillar herniation [1-1]

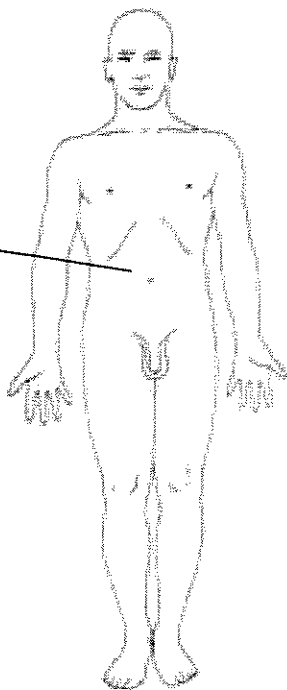
Abrasions of the right forehead [1-1]
Focal subgaleal hemorrhage of right frontal region. [1-4]



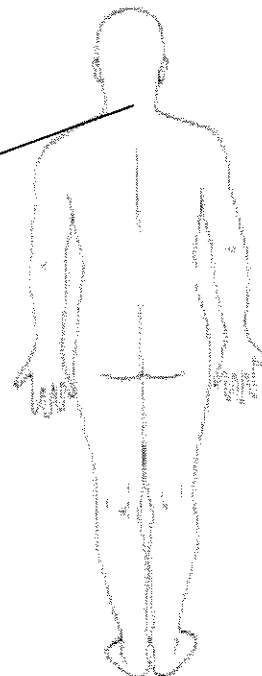
Findings:

1. Pulmonary edema and congestion
2. Mild cerebral edema w/ tonsillar herniation
3. Deep cervical neck muscle hemorrhage w/ subluxation btwn C1 and C2 Cervical vertebral bodies
4. Abrasions of the right forehead w/ underlying subgaleal hemorrhage of right frontal scalp.
5. S/P surgical removal of the heart, long bones and eyes for tissue donation

Pulmonary edema and congestion [1-1]



Posterior dissection of the neck reveals focal deep upper cervical neck muscle hemorrhages w/ subluxation btwn C1 and C2 Cervical vertebral bodies [1-4]



BioMedical Engineering Analysis

Erik Powell's autopsy report revealed subluxation between C1 and C2. The specific details of the C1-2 subluxation and ligamentous damage are unknown.

A precise definition of subluxation within the medical community remains somewhat general and often controversial. According to White and Panjabi, "Subluxation, or partial dislocation, is any pathological situation in which there is not a normal physiological juxtaposition of the articular surfaces of a joint."

Avoiding non-mechanical definitions, the focus of this analysis will be to determine and describe the mechanisms and forces required to produce C1-C2 dislocations in conjunction with the physical evidence in the subject case.

Cervical spine flexion injuries are primarily due to a bending moment in the sagittal plane with a relatively small component of vertical force (Huelke and Nusholtz).

Human tolerance values for the cervical spine subject to indirect loading are used as indicators for neck strength. The suggested tolerance level for resultant bending moment is 190N-M (140 ft-lb) in flexion, and a maximum equivalent moment of 56 ft-lb without injury (Huelke and Nusholtz).

Bauze and Ardran (1978) quantified the load compression required to produce bilateral facet dislocation without fracture. Findings demonstrated the sequence of events preceding dislocation, and identified subluxation as a prerequisite for dislocation. Following their results, it is assumed that minimum forces required to produce bilateral or unilateral facet dislocation would have surpassed forces to cause subluxation.

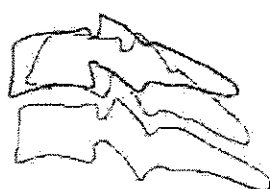


Fig. 12

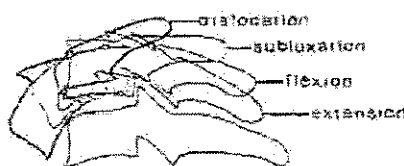


Fig. 13

Bauze and Ardran

Bilateral facet dislocation mechanism is flexion w/ little compression and bending movement close to sagittal plane. Any significant asymmetrical application tends to result in lateral bending and axial rotation and unilateral rather than bilateral dislocation (Panjabi and White).

Bilateral facet dislocations reported in Myers et al. occurred at 1720 ± 1230 N (386 ± 276 lbs) (White and Panjabi). Therefore, a facet dislocation has been proven to occur at as little as 110 lbs (386-276).

Given the importance of musculature in resisting flexion in the cervical spine, it is essential to note that if the trauma had occurred after Mr. Powell deceased, he would not have the benefit of muscular resistance to flexion.

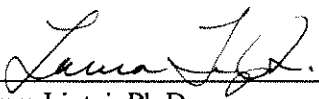
Findings

1. Absence of evidence of high impact force to the brain or skull.

- There is no focal brain trauma or skeletal trauma to the cranium.
- There is an abrasion to the right forehead as well as a focal subgaleal hemorrhage of the right frontal region.

2. The cervical spine trauma is consistent with a low force event.

- There is a certain amount of movement or laxity (approximately 3-4 mm) at C1-C2 that occurs normally.
- No trauma is reported to the spinal cord at C1-C2.
- For perspective, C1 is a very fragile vertebrae, and C1 was not fractured in this incident.
- C1-C2 subluxation most likely traces to from flexion in this case as there was no dens fracture. This is consistent with the body moving in flexion relative to the head, or the head moving in flexion relative to the body.
- Cervical subluxation also known as "Full Nelson" injury may occur with routine horseplay (White & Panjabi).
- Research indicates that a dislocation occurs at as little as 110 lbs. of force.



Laura Liptai, Ph.D.

Research Reviewed

DiMaio, D.J. & DiMaio, V.J.M. Forensic Pathology. New York, NY, 1989.

White AA, Panjabi MM. Clinical Biomechanics of the Spine. JB Lippincott, Philadelphia p. 504, 1978.

Nahum and Melvin. The Biomechanics of Trauma. Appleton-Century-Crofts, Norwalk, CT.

Huelke, DF & Nusholtz, GS. Cervical Spine Biomechanics: A Review of the Literature. J of Ortho Res. New York, NY, 1986.

Mertz & Patrick. "Strength and Response of the Human Neck". SAE 710855.

Laura Liptai, Ph.D.-Fees

\$300 Records reviewed, fieldwork and travel time

\$350 Deposition and trial time

Please schedule deposition and trial at least 4 weeks in advance when possible

BIOMEDICAL FORENSICS

Laura L. Liptai, Ph.D.
BioMedical Engineer and Mechanical Engineer
Curriculum Vitae

Technical Consulting in:
Mechanism and Causation of Trauma ♦ Impact Biomechanics ♦ Accident Reconstruction

Education

Ph.D., 1996 ~ BioMedical Engineering – University of California at Davis
Mathematical Modeling of Side Impact Head Dynamics

M.S., 1993 ~ BioMedical Engineering – University of California at Davis
Occupant Protection Design Improvement

M.B.A., 1985 ~ Engineering Project Management – University of Southern California
Robotic Motor Usage

B.S., 1983 ~ Mechanical Engineering – University of California at Davis
Awarded Third Place for National Competition in Human Powered Vehicle Design

Ergonomics/Human Factors, 1981 ~ Royal Academy of Denmark, D.I.S.

Academic Appointments & Positions

Anatomy and Histology ~ UCD School of Medicine, 1994

Mechanical/Machine Design ~ UCD School of Engineering, 1993

Clinical Experience

Radiology and Neuroradiology, UCD Medical Center, 1995-1996
Magnetic Resonance Imaging Rotation, 1996
Computerized Tomography Rotation, 1995

Forensic Pathology, UCD Medical Center, Coroner's Office, 1993

Orthopedic Trauma, UCD Medical Center, 1992

Physical Medicine & Rehabilitation – Spine Injury Clinic, UCDCMC 1992

Santa Clara Coroner's Office, Forensic Pathology/Autopsy Periodic Volunteer 2002 – 2003

Honors

Chairman of Engineering Sciences, American Academy of Forensic Sciences (AAFS) ~ 2005-2006

The AAFS has 6000 members representing all 50 United States, Canada and 56 other countries worldwide. The AAFS is the most prestigious forensic science organization in the world. Elected Chairman of all Engineering Sciences.

Diplomate, International Institute of Forensic Engineering Sciences ~ 2005

The International Institute of Forensic Engineering Sciences, Inc. is an independent board that certifies professionals with a specialty in the forensic engineering sciences. An IIFES certification indicates that an individual has been determined by his or her peers to be technically competent, forensically experienced, dedicated to ethical work and professionally correct.

Forensic Engineering Task Force, American Society of Testing and Materials ~ 2006-2007

Selected as one of twelve engineers nationally to determine the direction of future engineering standards. Organized in 1898, ASTM International is one of the largest voluntary standards developing organization in the world, representing producers, users, consumers, government, and academia from over 100 countries, publishing technical documents that are a basis for manufacturing, management, procurement, codes, and regulations.

First Chairman of BioMedical Engineering, International E-30 Technical Standard Guides and Practices, American Society of Testing and Materials, Nominated and Honored, Chicago, IL, 2003; Dallas, TX 2004

National Engineering Honor ~ Tau Beta Pi, 1995

Elected for Distinguished Achievement in Engineering Scholarship

National Biological Sciences Research Honor ~ Phi Sigma, 1995

Awarded by the University of California for Research in the Biological Sciences

Research, Committees & Publications

Journal of the National Academy of Engineers~2005

Forensic Engineering Analysis of Head Impacts within a Vehicle Subject to Side Impact.

Faculty of American Academy of Forensic Science, Student Section, Co/Chairman of Engineering Chicago, IL, 2003; Dallas, TX 2004, New Orleans, LA 2005; Seattle, WA 2006; San Antonio, TX 2007 (pending)

Chairman "European Technical Research Conference," Society of Forensic Engineers and Scientists, Technical Program ~ Paris, France, 2002

Co-Established Trauma Research Group, UCD Medical Center ~ 1996

American Academy of Forensic Sciences, Engineering Section, Awards Committees, ~ 2000-2002, 2003-2004; Ethics Chairman, ~ 2004-2005

American Back Society, Clinical Committee, Neurological Diseases and Injuries ~ 1998

Full Scale Automotive Crash Testing at CalTrans Highway Patrol High Speed Test Track ~ 1992-1996 *CalTrans Materials, Engineering and Testing Services Volunteer, Structural Materials Branch, West Sacramento, CA*

Mathematical Modeling & Human Body Simulation, Research Guest, Armstrong Laboratories ~ 1995 *Wright Patterson Air Force Base, Dayton, OH*

Human Biomechanics & Simulation Standards Committee, SAE ~ 1996

Articulated Total Body Model User's Group Executive Committee ~ 1995-1996

Ford Motor Company Side Air Bag Full-Scale Sled Cadaver Testing ~ 1994

Wayne State University, Bioengineering Center, Detroit, MI

Occupant Restraint Technology & Injury Assessment Testing with the Hybrid III Dummy ~ 1992-1993

University of California, Davis, CA

Technical Program Chairman, BioMedical Engineering Section, AAFS Annual Meeting,

Dallas, TX 2004

Journal of Biomechanics ~ 1994

Martin, B. and Liptai, L., et al., Relationship Between Mass and Acceleration for Impact on Padded Surfaces. Studied the biomechanical differences of varied surfaces in the prevention of head injury in adults and children.

BioMedical & Mechanical Consulting Experience

BioMedical Forensics ~ 2003-Present

Mechanism & Causation of Injury, Impact Biomechanics, Accident Reconstruction Engineering

L.L. Liptai BioMedical Engineering ~ 1996 – 2003

BioMedical Engineering, Product Liability, Accident Reconstruction and Mechanical Engineering

Technical Consultant with Anatomist Lawrence M. Elson, Ph.D. ~ 1996 – July 1998

Injury Causation, Mechanics of Injury, BioMedical Engineering, Medical Education & Anatomical Basis of Medicine/ Surgery.

Liptai Engineering ~ 1983 – 1996

BioMedical Engineering, Accident Reconstruction, Product Liability

Bechtel, Engineering Intern ~ 1982 – 1983

Seminars, Symposia & Lectures

"Variations in Evidentiary Standards and Engineering Standards Analysis," American Academy of Forensic Sciences ~ Author/Speaker, with Hon. Joe S. Cecil, Ph.D., J.D., Judicial Research Council, Washington, D.C., Seattle, WA, 2006

"BioMedical Engineering Analysis of Pedestrian Obstacles and Recovery/Fall Mechanics," International Academy of Forensic Sciences ~ Author/Speaker, Hong Kong, 2005

"Forensic Engineering Analysis of Passenger Vehicle A-Pillar Impact With Tractor-Trailer: Full Scale Crash Tests," International Academy of Forensic Sciences ~ Author/Speaker, Hong Kong, 2005

"Forensic Sampler: Motor Vehicle Accidents," American Academy of Psychiatry and the Law ~ Author/Speaker, Chicago, IL, 2006

“Forensic Engineering Analysis of Pedestrian Trauma Using BioMedical and Accident Reconstruction Methods,” National Academy of Forensic Sciences ~ Author/Speaker, *Boston, MA 2006*

“BioMedical Engineering Analysis of Brain Injury,” for Registered Nurses ~ Author/Speaker, *Walnut Creek, CA 2006*

“Tutorial and Panel on Engineering Evidence and Lay Testimony,” American Academy of Forensic Sciences ~ Author/Speaker, *New Orleans, LA 2005*

“Forensic Engineering Analysis of Head Impacts Within a Vehicle Subject to Side Impacts,” National Academy of Forensic Engineers ~ Author/Speaker, *San Diego, CA, 2005*

“Experimental Analysis of Pediatric Brain Injury Causation Utilizing Scientifically Proven Quantitative Measures,” International Mechanical Engineering Congress & Exposition ~ Author, *Anaheim, CA, 2004*

“Decoupling of Lagrangian Equations of Motion to Improve Computational Efficiency and Application to Multi-Body Constrained BioMedical Engineering Systems,” American Academy of Forensic Sciences ~ Author/Speaker, *Dallas, TX, 2004*

“Head Impact by Golf Ball: Digital Data Acquisition and Analysis Compared to Alternative Methodologies,” American Academy of Forensic Sciences ~ Speaker, *Dallas, TX, 2004*

“Accident Reconstruction of 14-Passenger Catastrophic Rollover and Analysis of How Occupant Restraints Could Have Prevented Five Fatalities and Four Serious/Severe Traumas Including Analysis of Pediatric Restraint Usage,” American Academy of Forensic Sciences ~ Speaker, *Dallas, TX, 2004*

“BioMedical Engineering: Physical Evidence as the Silent Witness,” American Academy of Forensic Sciences ~ Speaker, *Dallas, TX, 2004*

“Cranial Trauma Quantification on the Basis of Hertzian Contact Theory,” *Invitation by the Turkish Government, declined invitation due to Iraqi conflict. ~ 2003*

“Trauma Causation of a Survivable Open Book Fracture/Crush to the Pelvis,” Society of Forensic Engineers and Scientists ~ Author/Speaker, *Solvang, CA, 2003*

“Brain Protection in Helmet Analysis,” and **“Causal Assessment of Slip and Fall Trauma,”** Greater Sacramento Area Chapter of Nurses ~ Author/Speaker, *Sacramento, CA, 2003*

“Technical Analyses and Report Writing,” Society of Forensic Engineers and Scientists ~ Author/Speaker, *Oakland, CA, 2003*

“Analysis of Internal Fixation Failure of a Three-Dimensional Joint,” American Academy of Forensic Sciences ~ Author/ Speaker, *Reno, NV, 2000*

“Orthopedic Implant Failure,” American Academy of Forensic Sciences ~ Author/ Speaker, *Reno, NV, 2000*

“Etiology of Peripheral Neuropathies,” Society of Forensic Engineers and Scientists ~ Author/Speaker, *Yosemite, CA, 2000*

“Causation of Lumbar Spine Pathology,” Society of Forensic Engineers and Scientists ~
Author/Speaker, *Yosemite, CA, 2000*

“Brain Injury Etiology,” Northern California Fraud Investigators Association Conference ~
Author/Speaker, *Monterey, CA, 2000*

“BioMedical Assessment of Rollover Collisions,” Society of Automotive Engineers TOPTEC (Topical
Technical Workshop) ~ Author/Speaker, *San Diego, CA 1999*

“Brain Injury Biomechanics,” and “Crash Testing with Dummies,” Northern California Trauma
Conference for Trauma Surgeons and other HCP’s ~ Author/ Speaker, *Sacramento, CA, 1999*

“Head Trauma,” Northern California Trauma Conference ~ Author/Speaker
Sacramento, CA, 1998

“Analysis of Flying Harness System,” American Academy of Forensic Sciences ~ Author/Speaker,
San Francisco, CA, February, 1998

“Biomechanics of Side Impact Trauma,” Society of Forensic Engineers and Scientists ~
Author/Speaker, *Carmel, CA, 1997*

Chairman of Technical Program: Annual Articulated Total Body User’s Group Conference ~
with Wright Patterson Air Force personnel, Phoenix, AZ, February, 1996

“Head Trauma,” Northern California Fraud Investigators Association Conference ~ Author/Speaker
Monterey, CA, April, 1996

“Head Trauma and Brain Injury,” Forensic Pathology Department, UCD Medical Center, Coroner’s
Office ~ Lecturer, *Sacramento, CA, 1993*

Professional Associations (Past & Present)

American Back Society

American Society of Testing and Materials

Association for the Advancement of Automotive Medicine

Advanced Highway Maintenance Construction Technology Research Group
Affiliated via doctoral research advisor 1995 – 1997

American Academy of Forensic Sciences

American Society of Mechanical Engineers

American Society of Safety Engineers

Articulated Total Body User’s Group

National Academy of Forensic Engineers

Society of Automotive Engineers

Society of Forensic Engineers and Scientists

Tau Beta Pi ~ National Engineering Honor Society

UCD Medical Center Orthopedic Research Group

Affiliated via qualifying committee faculty/ research group director 1995 – 1996

Continuing Education & Professional Development

Crash Data Retrieval Specialist ~ Certification

Certified to utilize the Vetronix Crash Data Retrieval (CDR) System and software to retrieve and analyze vehicular “black box” data; for example, speed at impact, braking behavior, occupants restrained or unrestrained, etc.

April 2003

Diagnosis & Treatment of Neck and Back Pain: Integrated Approach

Stanford University School of Medicine and American Back Society, San Francisco, CA, December, 1997

Armed Forces Institute of Pathology: Basic Forensic Pathology

Department of the Army, Center for Advanced Medical Education, Rockville, MD, October, 1997

Head and Neck Injury Symposium

Troy, MI, September, 1994

Biomechanics of Impact Trauma

Associated for the Advancement of Automotive Medicine, Chicago, IL, December, 1996

Occupant Protection Emerging Topics & Technologies

Tempe, AZ, May, 1998

Airbag Design & Performance

SAE, Costa Mesa, CA, August, 1997

High Speed Rear Impact

SAE, Tempe, AZ, October, 1997

Side Impact Design Considerations for Safer Vehicles

SAE, Tempe, AZ, May, 1998

The Biomechanics of Impact and Its Relationship to Crash Performance Standards

Chicago, IL, 1996

Articulated Total Body Model Colloquium

Phoenix, AZ, 1996 and Dayton, OH, 1995

Injuries, Anatomy, Biomechanics & Federal Regulations

Irvine, CA, 1995

Rear Impact Collision TOPTEC
Irvine, CA, 1994

Philanthropic Endeavors

Boy Scouts of America
2000

**Sworn Testimony for Laura Liptai, Ph.D.
As of October 20, 2006**

2006:

Trials:

1. Garcia v. Paramount Citrus
2. Ortega v. McKae
3. Sur v. Leung
4. Scott v. Richter Ratner Construction

Depositions:

1. Phillips v. Gomez
2. Carillo v. McDonald
3. Hurd v. Hall
4. Hayes v. Jones; Bonifay, Florida (State)
5. Ochsenfeld v. U-Haul
6. Gregerson v. Charles Schulz Museum, et al.
7. Scott v. Richter Ratner Construction, et al.
8. Tamura v. Sharma
9. Lewinstein v. Home Depot, et al.

2005:

Trials:

1. Kurtzman v. Reinders
2. Holland v. Mineral King
3. Pierce, Barry v. Golden Gate
4. Khaimskaya v. City and County of San Francisco
5. Miles v. Ellis, City of Oakland
6. Thomas v. Carroll
7. Martin v. Schultz-Sullivan
8. Ortega v. Denny's Restaurant
9. Parineh v. Lam

Depositions:

1. Feliciano v. Dunlop
2. Schwartz v. Williams
3. Lee, O'Daniels, Gill v. Burlington Northern Santa Fe (Federal)
4. Holland v. Mineral King
5. Lynch v. Jelly Belly Candy
6. Khaimskaya v. City and County of San Francisco
7. Martin v. Schultz-Sullivan
8. O'Neill v. USAA
9. Alfano v. Ft. Bragg Electric
10. Medwadowski v. City and County of San Francisco

11. Grady v. City of Oakland
12. Miles v. Ellis, City of Oakland
13. Nickola v. Burlington Northern Santa Fe (Federal)
14. Garcia v. Paramount Citrus
15. Ortega v. Denny's Restaurant
16. Wall v. Jansen
17. Allsup v. Washington, USAA; Tallahassee, Florida (State)
18. Maistrellis v. DeSoto Cab Company
19. Glennon v. Penske Leasing
20. Page v. Simpson Lumber
21. Chang v. PacBell
22. Glasby v. Porter
23. Koonce v. MV Transportation

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

THE ESTATE OF ERIK A. POWELL,)	CIVIL NO. CV04-00428 LEK
THROUGH PERSONAL)	
REPRESENTATIVE MARY K.)	CERTIFICATE OF SERVICE
POWELL; THE ESTATE OF JAMES)	
D. LAUGHLIN, THROUGH)	
PERSONAL REPRESENTATIVE)	
RAGINAE C. LAUGHLIN; MARY K.)	
POWELL, INDIVIDUALLY;)	
RAGINAE C. LAUGHLIN,)	
INDIVIDUALLY; CHLOE)	TRIAL: April 3, 2007
LAUGHLIN, A MINOR, THROUGH)	
HER NEXT FRIEND, RAGINAE C.)	
LAUGHLIN,)	
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Plaintiffs,)	
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vs.)	
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CITY AND COUNTY OF)	
HONOLULU,)	
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Third-Party Plaintiff,)	
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vs.)	
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UNIVERSITY OF HAWAII, a body)	
corporate; JOHN DOES 1-10, JANE)	
)	

DOES 1-10, DOE CORPORATIONS)
and DOE ENTITIES,)
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Third-Party)
Defendants.)
_____)

CERTIFICATE OF SERVICE

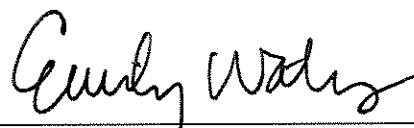
I hereby certify that a copy of the foregoing document was duly served *via hand delivery* to the following parties addressed as follows on

OCT 23 2006.

CARRIE K.S. OKINAGA, ESQ.
Corporation Counsel
DEREK T. MAYESHIRO, ESQ.
Deputy Corporation Counsel
City and County of Honolulu
530 South King Street, Room 110
Honolulu, Hawaii 96813

Attorneys for Defendant
CITY AND COUNTY OF HONOLULU

DATED: Honolulu, Hawai'i, OCT 23 2006



IAN L. MATTOCH
EMILY KAWASHIMA WATERS
Attorneys for Plaintiffs